

JPW



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April 4, 2006

Commissioner for Patents and Trademark
P. O. Box 1450
Alexandria, VA 22313-1450

Re: IMPROVED BUILDING CLADDING PANEL
Ser. No. 10/669,224 Filed 09/25/03

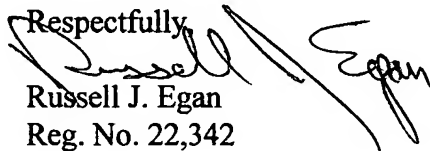
Dear Sir:

I am enclosing copies of E-mails I have received from the inventor of the invention described in the above noted patent application stating his opinion of the level of examination of his patent application. Perhaps you can furnish him with an explanation as I cannot justify the Examiner's position.

If you would like to contact him directly, his address is:

Mike McDonald
5507 10th Street
Lubbock, TX 79416

Again, I truly believe that as the USPTO fees have increased, the quality of the services it provides have decreased, particularly in the examinations.

Respectfully,

Russell J. Egan
Reg. No. 22,342



From: "Mike McDonald" <mike2257@cox.net>
To: "Russell Egan" <rjepatents@worldnet.att.net>
Sent: Tuesday, February 07, 2006 4:45 PM
Subject: FYI

What Can Be Patented

The patent law specifies the general field of subject matter that can be patented and the conditions under which a patent may be obtained.

In the language of the statute, any person who "invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent," subject to the conditions and requirements of the law. The word "process" is defined by law as a process, act or method, and primarily includes industrial or technical processes. The term "machine" used in the statute needs no explanation. The term "manufacture" refers to articles that are made, and includes all manufactured articles. The term "composition of matter" relates to chemical compositions and may include mixtures of ingredients as well as new chemical compounds. These classes of subject matter taken together include practically everything that is made by man and the processes for making the products.

The Atomic Energy Act of 1954 excludes the patenting of inventions useful solely in the utilization of special nuclear material or atomic energy in an atomic weapon 42 U.S.C. 2181 (a).

The patent law specifies that the subject matter must be "useful." The term "useful" in this connection refers to the condition that the subject matter has a useful purpose and also includes operativeness, that is, a machine which will not operate to perform the intended purpose would not be called useful, and therefore would not be granted a patent.

Interpretations of the statute by the courts have defined the limits of the field of subject matter that can be patented, thus it has been held that the laws of nature, physical phenomena, and abstract ideas are not patentable subject matter.

A patent cannot be obtained upon a mere idea or suggestion. The patent is granted upon the new machine, manufacture, etc., as has been said, and not upon the idea or suggestion of the new machine. A complete description of the actual machine or other subject matter for which a patent is sought is required.

Any reasonable, logical, sane, thinking person, normal person could not connect the

2/27/2006

patent that guy has quoted to our patent! How does one think that a flimsey sheet of foil is alike our rigid sheet of ply foil and fiber board! I am at a loss! I also smell a rat.....I will be back to you ASAP. The above is taken directly off the patent office web site.....a patent application is supposed to describe the patent in FULL.....that is what we did. The other guy has a patent on an shelter panel that is so weak that in his drawings he shows grommets that are used to attach it to keep from crushing the material. He plainly states that he has corrugated foils attached to faces of paper by glue or cement or welding! Ours has just the opposite.....double layered fiber board with sheets of foil and ours has a busting strength of #450 while his has to be hung by using the grommets he builds into it.....this is stupid and a disgrace!

Internal Virus Database is out-of-date.

Checked by AVG Free Edition.

Version: 7.1.375 / Virus Database: 267.14.25/246 - Release Date: 1/30/2006

2/27/2006



Russell Egan

From: "Mike McDonald" <mike2257@cox.net>
To: "Russell Egan" <rjepatents@worldnet.att.net>
Sent: Tuesday, February 07, 2006 4:52 PM
Subject: Re: Patent application

and our main purpose is to deter hail stones.....his???? who knows!

If you cant tell, I am pissed!

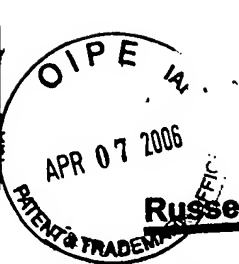
sorry

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Checked by AVG Free Edition.

Version: 7.1.375 / Virus Database: 267.14.25/246 - Release Date: 1/30/2006

2/27/2006



Russell Egan

From: "Mike McDonald" <mike2257@cox.net>
To: "Russell Egan" <rjepatents@worldnet.att.net>
Sent: Thursday, February 09, 2006 5:08 PM
Subject: Re: Patent application

I just got your mail and now I am even more confused.....he says he is denying our patent because of the pallet patent! This is absurd! Even more so than the sheet stuff.....I will call you tomorrow and we will figure out what to do.

Mike (confused in Lubbock)

No virus found in this incoming message.
Checked by AVG Free Edition.
Version: 7.1.375 / Virus Database: 267.15.3/254 - Release Date: 2/8/2006

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